

**CITY OF AUSTIN**  
**Board of Adjustment**  
**Decision Sheet**  
**F-1**

**DATE:** Monday February 8, 2021

**CASE NUMBER:** C15-2021-0001

Y  Brooke Bailey  
 Y  Jessica Cohen  
 Y  Ada Corral  
 Y  Melissa Hawthorne  
 -  VACANT  
 Y  Don Leighton-Burwell  
 Y  Rahm McDaniel  
 Y  Darryl Pruett  
 Y  Veronica Rivera  
 Y  Yasmine Smith  
 Y  Michael Von Ohlen  
 -  Kelly Blume (Alternate)  
 -  Vacant (Alternate)  
 -  Donny Hamilton (Alternate)

**OWNER/APPLICANT:** John Meyer

**ADDRESS:** 703 FLETCHER ST

**VARIANCE REQUESTED:** The applicant is requesting a variance(s) from the Land Development Code,

a) Section 25-2-492 (*Site Development Regulations*) decrease the minimum lot width from 50 feet (required) to 34 feet 9 inches (requested)

b) Section 25-2 (*Subchapter F, Residential Design and Compatibility Standards, Article 2, Development Standards, 2.6 Setback Planes*) to decrease the 45 degree angle side setback plane (required) to 0 degrees (requested)

c) Section 25-2 (*Subchapter F, Residential Design and Compatibility Standards, Article 2, Development Standards, 2.7 Sidewall Articulation*) to remove the requirement for articulation on the interior side (west) (requested) in order to erect a Single Family Residence in a SF-3", Single-Family Residence zoning district.

**BOARD'S DECISION:** BOA MEETING Feb 8,2021 **The public hearing was closed by Chair Don Leighton-Burwell, Board Member Michael Von Ohlen motions to postpone to March 8, 2021; Board Member Jessica Cohen seconds on a 10-0 vote; POSTPONED TO MARCH 8, 2021.**

**FINDING:**

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:
  - (b) The hardship is not general to the area in which the property is located because:
3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

  
\_\_\_\_\_  
Elaine Ramirez  
Executive Liaison

\_\_\_\_\_  
Diana Ramirez for  
Don Leighton-Burwell  
Chairman

# BOA GENERAL REVIEW COVERSHEET

**CASE:** C15-2021-0001

**BOA DATE:** February 8<sup>th</sup>, 2021

**ADDRESS:** 703 Fletcher St  
**OWNER:** Rooster Res 1 LP

**COUNCIL DISTRICT:** 9  
**AGENT:** John Meyer

**ZONING:** SF-3-NP (Bouldin Creek)

**LEGAL DESCRIPTION:** CEN 35FT OF E205FT BLK 3 BAWCOM SUBD

**VARIANCE REQUEST:** decrease the minimum lot width from 50 feet to 34 feet 9 inches, decrease 45 degree angle side setback plane to 0 degrees on west side **and** remove the sidewall articulation on west side.

**SUMMARY:** erect a new Single-Family Residence

**ISSUES:** substandard lot width

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single-Family
<i>North</i>	SF-3-NP	Single-Family
<i>South</i>	SF-3-NP	Single-Family
<i>East</i>	SF-3-NP	Single-Family
<i>West</i>	SF-3-NP	Single-Family

**NEIGHBORHOOD ORGANIZATIONS:**

- Austin Independent School District
- Austin Lost and Found Pets
- Austin Neighborhoods Council
- Bike Austin
- Bouldin Creek Neighborhood Association
- Bouldin Creek Neighborhood Planning Team
- Friends of Austin Neighborhoods
- Homeless Neighborhood Association
- Neighborhood Empowerment Foundation
- Perry Grid 614
- Preservation Austin
- SEL Texas
- Sierra Club, Austin Regional Group
- South Central Coalition



**NOTIFICATIONS**

CASE#: C15-2021-0001  
LOCATION: 703 FLETCHER STREET



 SUBJECT TRACT

 PENDING CASE

 ZONING BOUNDARY



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

1" = 170'

# BOA GENERAL REVIEW COVERSHEET

**CASE:** C15-2021-0001

**BOA DATE:** January 11<sup>th</sup>, 2021

**ADDRESS:** 703 Fletcher St  
**OWNER:** Rooster Res 1 LP

**COUNCIL DISTRICT:** 9  
**AGENT:** John Meyer

**ZONING:** SF-3-NP (Bouldin Creek)

**LEGAL DESCRIPTION:** CEN 35FT OF E205FT BLK 3 BAWCOM SUBD

**VARIANCE REQUEST:** decrease the minimum lot width from 50 feet to 34 feet 9 inches **and** decrease 45 degree angle side setback plane to 0 degrees on west side.

**SUMMARY:** erect a new Single-Family Residence

**ISSUES:** substandard lot width

	ZONING	LAND USES
<i>Site</i>	SF-3-NP	Single-Family
<i>North</i>	SF-3-NP	Single-Family
<i>South</i>	SF-3-NP	Single-Family
<i>East</i>	SF-3-NP	Single-Family
<i>West</i>	SF-3-NP	Single-Family

**NEIGHBORHOOD ORGANIZATIONS:**

- Austin Independent School District
- Austin Lost and Found Pets
- Austin Neighborhoods Council
- Bike Austin
- Bouldin Creek Neighborhood Association
- Bouldin Creek Neighborhood Planning Team
- Friends of Austin Neighborhoods
- Homeless Neighborhood Association
- Neighborhood Empowerment Foundation
- Perry Grid 614
- Preservation Austin
- SEL Texas
- Sierra Club, Austin Regional Group
- South Central Coalition



January 25, 2021

John Meyer  
703 Fletcher St  
Austin TX, 78704

Property Description: CEN 35FT OF E205FT BLK 3 BAWCOM SUBD

**Re: C15-2021-0001**

Dear John,

Austin Energy (AE) has reviewed your revised application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the following sections of the Land Development Code;

*Section 25-2-492 (Site Development Regulations) (a); to decrease the minimum lot width from 50 feet (required) to 34 feet 9 inches (requested); and Section 25-2 (Subchapter F, Residential Design and Compatibility Standards, Article 2, Development Standards, 2.6 Setback Planes; to decrease the 45 degree angle side setback plane (required) to 0 degrees (requested) on the west side of lot. In order to erect a Single-Family Residence in a SF-3", Single-Family Residence zoning district.*

Austin Energy does not oppose the above variances requested, with the adjustments made to the proposed building figures, provided the proposed and existing improvements follow Austin Energy's clearance criteria requirements, the National Electric Safety Code and OSHA. Any removal or relocation of existing electric facilities will be at owners /applicants' expense. It is noted that the existing service drop for both 703 and 705 Fletcher Street is covered multi-plex secondary conductors.

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action: <https://austinenergy.com/wcm/connect/8bb4699c-7691-4a74-98e7-56059e9be364/Design+Criteria+Manual+Oct+2015.pdf?MOD=AJPERES>

If you require further information or have any questions regarding the above comments, please contact our office. Thank you for contacting Austin Energy.

**Eben Kellogg, Property Agent**

Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6050



January 7, 2021

John Meyer  
703 Fletcher St  
Austin TX, 78704

Property Description: CEN 35FT OF E205FT BLK 3 BAWCOM SUBD

**Re: C15-2021-0001**

Dear John,

Austin Energy (AE) has reviewed your application for the above referenced property, requesting that the Board of Adjustment consider a variance(s) from the following sections of the Land Development Code;

*Section 25-2-492 (Site Development Regulations) (a); to decrease the minimum lot width from 50 feet (required) to 34 feet 9 inches (requested); and Section 25-2 (Subchapter F, Residential Design and Compatibility Standards, Article 2, Development Standards, 2.6 Setback Planes; to decrease the 45 degree angle side setback plane (required) to 0 degrees (requested) on the west side of lot. In order to erect a Single-Family Residence in a SF-3", Single-Family Residence zoning district.*

**DENIED BY AUSTIN ENERGY (AE)**, due to proposed structure conflicting with Austin Energy's clearance requirements from existing electric infrastructure located on the property. The Customer's facilities/installations shall maintain a minimum horizontal clearance of 7 feet-6 inches from primary and neutral overhead AE distribution conductors and 5 feet from covered multiplex secondary conductors. Additional clearance and access easements may be required by Austin Energy to ensure accessibility to maintain AE infrastructure. Please contact AE Design southwest Lead, James Rowin, at 512-505-7665 or [James.Rowin@austinenergy.com](mailto:James.Rowin@austinenergy.com)

Please use this link to be advised of our clearance and safety requirements which are additional conditions of the above review action: <https://austinenergy.com/wcm/connect/8bb4699c-7691-4a74-98e7-56059e9be364/Design+Criteria+Manual+Oct+2015.pdf?MOD=AJPERES>

If you require further information or have any questions regarding the above comments, please contact our office.

Thank you for contacting Austin Energy.

**Eben Kellogg, Property Agent**

Austin Energy  
Public Involvement | Real Estate Services  
2500 Montopolis Drive  
Austin, TX 78741  
(512) 322-6050



# Board of Adjustment General/Parking Variance Application

DevelopmentATX.com | Phone: 311 (or 512-974-2000 outside Austin)  
For submittal and fee information, see [austintexas.gov/digitaldevelopment](http://austintexas.gov/digitaldevelopment)

**WARNING: Filing of this appeal stops all affected construction activity.**

This application is a fillable PDF that can be completed electronically. To ensure your information is saved, [click here to Save](#) the form to your computer, then open your copy and continue.

The Tab key may be used to navigate to each field; Shift + Tab moves to the previous field. The Enter key activates links, emails, and buttons. Use the Up & Down Arrow keys to scroll through drop-down lists and check boxes, and hit Enter to make a selection.

The application must be complete and accurate prior to submittal. **If more space is required, please complete Section 6 as needed.** All information is required (if applicable).

### For Office Use Only

Case # _____	ROW # _____	Tax # _____
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### Section 1: Applicant Statement

Street Address: 703 Fletcher Austin Texas 78704

Subdivision Legal Description:

BEING THE EAST 35 FEET OF BLOCK NO. 3 OF THE BAWCOM SUBDIVISION, A  
SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP

Lot(s): \_\_\_\_\_ Block(s): \_\_\_\_\_

Outlot: \_\_\_\_\_ Division: \_\_\_\_\_

Zoning District: SF-3-NP

I/We John Meyer on behalf of myself/ourselves as  
authorized agent for Rooster Res 1 LP affirm that on  
Month December, Day 3, Year 2020, hereby apply for a hearing before the  
Board of Adjustment for consideration to (select appropriate option below):

Erect  Attach  Complete  Remodel  Maintain  Other: \_\_\_\_\_

Type of Structure: New construction of a single family home of approximately 3100 SF

Portion of the City of Austin Land Development Code applicant is seeking a variance from:

- I am requesting variances from the Land Development Code for a SF-3 Residential lot: \_\_\_\_\_
- #1) LDC 25-2-492 (D) 50' min lot width to be changed to 34'-9" lot width \_\_\_\_\_
- #2) LDC 25-2 Subchapter F Article 2.6A Side Setback Planes specifying 45 Deg angle above \_\_\_\_\_
- 15' above grade be removed from the shared lot line between 703 & 705 Fletcher (see below) \_\_\_\_\_

**Section 2: Variance Findings**

The Board must determine the existence of, sufficiency of, and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional supporting documents.

**NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.**

I contend that my entitlement to the requested variance is based on the following findings:

**Reasonable Use**

The zoning regulations applicable to the property do not allow for a reasonable use because:

This lot was created March, 1948 and received water and wastewater services at that time.  
There has been a house located on this lot for most of the time since its creation and has been sold to different owners over the years. (PRESENTATION PAGE 1: AREA MAP)  
Single Family Residential use in SF3 zoning is a reasonable use. LDC 25-2-492(D) mandates a minimum 50' lot width for SF3 lots. Therefore without a variance the subject property could not have a house built on it. Had it been created prior to 1948, this lot would have received land status. (see more below)

**Hardship**

a) The hardship for which the variance is requested is unique to the property in that:

The subject property is 34'-9" wide and 198' deep for a total of 6,941 sf of land which is a similar land area of a typical/standard lot. All of our hardships are a result of the substandard lot width. The 1st hardship is the narrow lot width of 34'-9" which currently prohibits us from obtaining legal lot status. (see more below)

b) The hardship is not general to the area in which the property is located because:

Houses built on 50' wide lots would not have any of these hardships. These hardships are not general to the area because most of the lots are over 50' wide or have already received land status determination. (see more below)

**Area Character**

The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Granting the requested variances will not alter the character of the area. Conversely, it will work to preserve the character of the area by allowing for the design and sizing of 2 new houses that will look more like the existing houses on the lots as well as other new houses built in the area. (see more below)

**Parking** (additional criteria for parking variances only)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed in the City of Austin Land Development Code Chapter 25-6, Appendix A with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

- 1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specific regulation because:

parking is not affected

- 2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

Parking is not affected

- 3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

Parking is not affected

- 4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

Parking is not a part of this application

**Section 3: Applicant Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Applicant Name (typed or printed): John Meyer

Applicant Mailing Address: 612 Crestwood Dr

City: Kingsland State: TX Zip: 78639

Phone (will be public information): (210) 882-6263

Email (optional – will be public information): [REDACTED]

**Section 4: Owner Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Owner Name (typed or printed): John Meyer Mgr, Rooster Res 1 LP

Owner Mailing Address: 612 Crestwood Dr

City: Kingsland State: TX Zip: 78639

Phone (will be public information): (210) 882-6263

Email (optional – will be public information): [REDACTED]

**Section 5: Agent Information**

Agent Name: John Meyer, Pres, Foristar Development, Inc

Agent Mailing Address: 612 Crestwood Dr

City: Kingsland State: Texas Zip: 78639

Phone (will be public information): (210) 882-6263

Email (optional – will be public information): \_\_\_\_\_

**Section 6: Additional Space (if applicable)**

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

SECTION 1: Portion of the City of Austin Land Development Code applicant is seeking a variance from Cont'd: #3) LDC 25-2 Subchapter F Artcl 2.7 Sidewall Articulation specifying a 4' deep and 10' wide sidewall articulation at every 36' be removed from the side of the lot that is a shared lot line between 703 and 705 Fletcher

**Additional Space (continued)**

SECTION 2 - REASONABLE USE - CONT'D: Lots less than 50' wide are not uncommon as there are approx 60 lots within 1000' of subject property less than 50' wide. (PRESENTATION PAGE 4 NEIGHBORHOOD MAP)

It is reasonable for a 34'-9" wide by 198' deep lot to fully utilize maximum Floor to Area Ratio (FAR) and Impervious Cover (IC) allowances enjoyed by other legal lots over 50' wide. For this to happen relief is required from the mandates of LDC 25-2 Subchapter F Article 2.6A and LDC 25-2 Subchapter F Article 2.7 as noted herein.

SECTION 2 - HARDSHIP - CONT'D: The 2nd hardship is the narrow lot width combined with the side setback plane (LDC 25-2 Sub F, Art 2.6A) limits the potential building width to 14'-6" wide at 25' above grade and 4'-6" wide at 30' above grade. A typical 50' lot would only be limited to a potential building width of 30' wide at 25' above grade and 20' wide 30' above grade. We are asking for a variance from the side setback plane along the shared property line between 2 adjacent lots (703 and 705 Fletcher) in order to allow us to build 19'-6" wide at 25' above grade and 14'-6" wide at 30' above grade. (PRESENTATION PAGE 3: SITE SECTION)

The 3rd hardship is that the narrow lot combined with the setback articulation requirement (LDC 25-2 Sub F, Art 2.7) limits the potential building width to an unreasonable size. The possible building width is limited to 25' wide (5' setback on either side) and 17' at the required articulation (4' articulation on either side). A typical 50' wide lot would only be limited to 40' at the setback and 32' at the required articulations. We are asking for a variance from the setback articulation requirement only along the shared property line between the 2 adjacent lots (703 and 705 Fletcher).

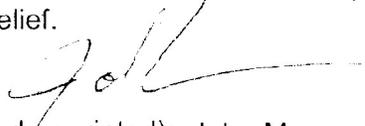
Houses built on 50' lots would have neither of hardships as noted above. After 70 years, the existing house has reached the end of it useful lifespan. We need these variances to build an appropriately sized new house with the same lot utilization as other legal lots.

SECTION 2 - AREA CHARACTER - CONT'D: Granting the variance on LDC 25-2-492(D) "minimum lot width" will not change the area character since other new houses of similar size and scope already exist. Granting a variances on LDC 25-2 Subchapter F Article 2.6A "Side Setback Planes" and LDC 25-2 Subchapter F, Article 2.7 "Sidewall Articulation" (on the interior lot line between 703 and 705 Fletcher) will not have an adverse impact on the adjacent lots since the limitation will remain unchanged for the property lines to the west of 705 Fletcher and the East of 703 Fletcher.

We no not believe these variances will set a precedent as this condition of having a single owner with 2 side by side 35' wide lots is quite unique and not a condition found elsewhere in the neighborhood.

**Section 3: Applicant Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Applicant Signature: 

Date: 12-3-2020

Applicant Name (typed or printed): John Meyer

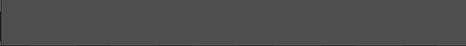
Applicant Mailing Address: 612 Crestwood Dr

City: Kingsland

State: TX

Zip: 78639

Phone (will be public information): (210) 882-6263

Email (optional – will be public information): 

**Section 4: Owner Certificate**

I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Owner Signature: 

Date: 12-3-2020

Owner Name (typed or printed): John Meyer Mgr, Rooster Res 1 LP

Owner Mailing Address: 612 Crestwood Dr

City: Kingsland

State: TX

Zip: 78639

Phone (will be public information): (210) 882-6263

Email (optional – will be public information): 

**Section 5: Agent Information**

Agent Name: John Meyer, Pres, Foristar Development, Inc

Agent Mailing Address: 612 Crestwood Dr

City: Kingsland

State: Texas

Zip: 78639

Phone (will be public information): (210) 882-6263

Email (optional – will be public information):

**Section 6: Additional Space (if applicable)**

Please use the space below to provide additional information as needed. To ensure the information is referenced to the proper item, include the Section and Field names as well (continued on next page).

Foristar Development, Inc  
612 Crestwood Dr  
Kingsland, TX 78639  
John Meyer  
210-882-6263

RE: Request Variances for two SF-3 Lots: 703 Fletcher St  
705 Fletcher St

To reduce lot width requirement  
Relief on side setback planes  
Relief on sidewall articulation

**SUMMARY OF VARIANCE REQUESTS**

**Here are the land development codes we seek a variance from:**

**Variance 1: LDC 25-2-492 (D)**

*SF-3 minimum lot width requirement of 50' Code specifying 50' lot:*

We are asking for a variance from the 50' minimum lot width so that we are able to be considered a legal lot with the existing 34'-9" lot width.

**Variance 2: LDC 25-2 Subchapter F Article 2.6A**

*"Side Setback Planes" Code specifying the 45 degree angle above 15' for the mcmansion tent:*

We are asking to remove the side setback plane along the shared property line between the two lots.

**Variance 3: LDC 25-2 Subchapter F Article 2.7**

*"Sidewall Articulation" Code specifying a 4' deep and 10' wide sidewall articulation at every 36':*

We are asking to remove the requirement for articulation along the shared property line between the two lots.

**Reasonable Use:**

*This application demonstrates to the board how the zoning regs applicable to the property do not allow for a reasonable use of the property*

This lot was created in March of 1948 and received water and wastewater services at that time as well. There has been a house located on this lot for most of the time since its creation and has been sold to different owners over the years. (Presentation page 1: AREA MAP)

Single family residential use in SF3 is a reasonable use. LDC 25-2-492 (D) mandates a minimum of 50' width for an SF-3 lot. Therefore, without a variance the subject property could not have a house built on it. Had it been built prior to 1948, it would have received land status. A lot of less than 50' width is not uncommon as there are approximately 60 lots within 1000' of subject property less than 50' wide. (Presentation page 4: NEIGHBORHOOD MAP)

We have presented to the neighborhood zoning commission as well as the neighborhood steering committee.

**Hardship:**

- A) *This application demonstrates to the board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested*
- B) *This application demonstrates to the board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.*

The subject property is 35' wide and 198' deep for a total of 6,941 SF of land which is a similar land area to that of a standard lot. Both of our hardships are created as a result of the substandard lot width.

The first hardship is that the narrow lot width in combination with the side setback plane (*LDC 25-2 Subchapter F Article 2.6A*) limit the potential building width to 14'-6" wide at 25' above grade and 4'-6" wide at 30' above grade. A typical 50' wide lot would be limited to potential building width of 30' wide at 25' above grade and 20' wide at 30' above grade. We are asking a variance from the side setback plane along the common property line between the 2 adjacent lots in order to allow us to build 19'-6" wide at 25' above grade and 14'-6" wide at 30' above grade. (*Presentation Page 3: SITE SECTION*)

The second hardship is that the narrow lot width in combination with the setback articulation requirements (*LDC 25-2 Subchapter F Article 2.7*) limit the potential building width to an unreasonable size. The possible building width is limited to 25' wide (5' setback on either side) and 17' at the required articulation (4' articulation on either side). A typical 50' wide lot would be limited to 40' at the setbacks and 32' at the required articulation. We are asking a variance from the setback articulation requirements along the common property line between the 2 adjacent lots.

Houses built on 50' wide lots would not have either of these hardships. This hardship is not general to the area because most of the lots are over 50' wide or have already received land status determination.

After 70 years, the existing houses on these lots have reached the end of their lifespan. We need these variances to build appropriately-sized new houses and the same building rights as other lots.

## **Area Character**

*This application demonstrates to the board how the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming properties and will not impair the purpose of the zoning regulation*

Granting the requested variances will not alter the character of the area. Conversely, the variances will work to preserve the character of the area by allowing for the design and sizing of new houses that will look more like the existing houses on the lots as well as the new houses built in the area. There are numerous new houses that have been recently built in the area.

Granting the variances on *LDC 25-2 Subchapter F Article 2.6A "Side Setback Planes"* and *LDC 25-2 Subchapter F Article 2.7 "Sidewall Articulation"* on the interior lot line between 703 & 705 Fletcher will not have adverse impacts on adjacent lots since the limitation will remain unchanged for the property lines to the West of 705 Fletcher and East of 703 Fletcher.

We do not believe that these variances will set a precedent as this condition, having a single owner with 2 side-by-side 35' wide lots, is quite unique and not a condition found elsewhere in the neighborhood.

## **Parking**

Parking is not affected

## **Summation**

In summation, I ask the Board of Adjustment to approve these variances so the properties can be utilized in an efficient manner consistent with the current and future needs of the immediate area.

**Foristar Development, Inc**

612 Crestwood Dr  
Kingsland, TX 78639  
210-882-6263

**Cover Letter**

December 18, 2020

City of Austin Board of Adjustment  
Don Leighton-Burwell, Chair  
One Texas Center  
505 Barton Springs  
Austin, Texas 78704

RE: Request Variances for two SF-3 Lots: 703 Fletcher St  
705 Fletcher St  
To reduce lot width requirement  
Relief on side setback planes  
Relief on sidewall articulation

Mr. Don Leighton-Burwell, chair and Board Members:

We are seeking to obtain variances necessary to build two new single-family homes of a size, scope, and design commensurate to other new homes in the urban core of Austin and the Bouldin Creek area. Additionally the variances are necessary to achieve the full bundle of rights available with regard to Floor to Area Ratio (FAR) and Impervious Cover (IC) enjoyed by other lots that are 50' or wider.

The owner has acquired 2 lots adjacent to one another on Fletcher Street. Each lot is 35' wide and 198' deep. Both lots were created at the same time in March of 1948.

It is fair and right the City of Austin should have ordinances so that existing homeowners are protected from newly built outsized structures crowding them, or otherwise impacting the reasonable enjoyment of their property. When any such condition did not exist at the time homeowners acquired their property, it is appropriate that it be considered carefully before allowing such condition to arise afterward.

In keeping with the spirit of the City's intention, we have only requested variances along the shared lot line between 703 & 705 Fletcher since all future owners of these two houses will see this condition prior to choosing to buy, and do not need the protection afforded by the ordinances - especially since the requested variances are subtle and do not affect the character of the area. We have not asked for any variances on the side of our lots that abut any neighbor. In this way they keep what they originally bargained for.

Thank you for your consideration

John Meyer, President  
Foristar Development, Inc

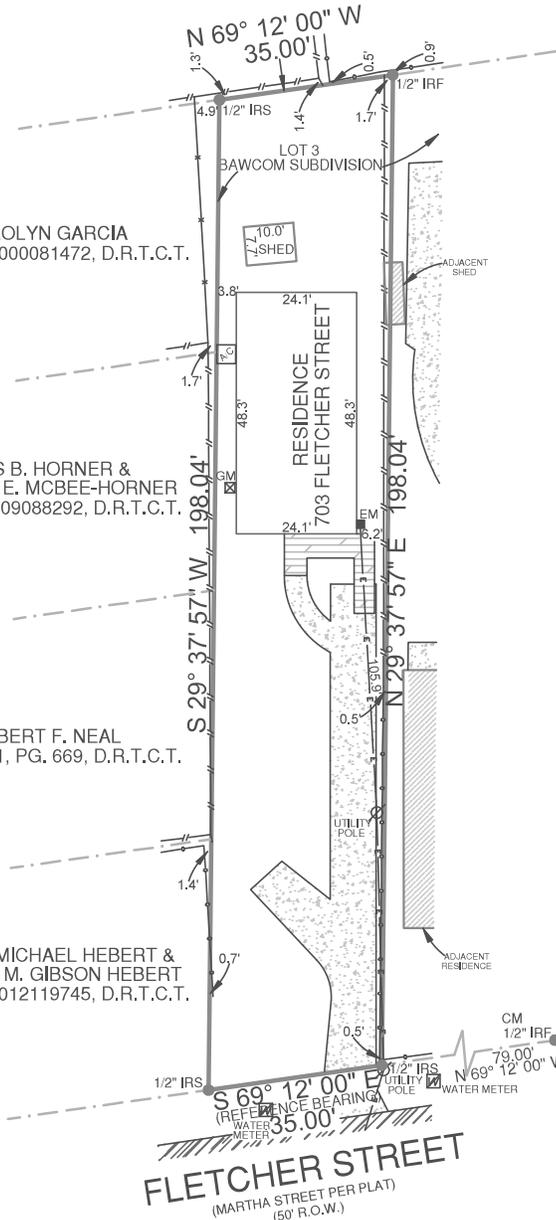


CAROLYN GARCIA  
DOC. NO. 2000081472, D.R.T.C.T.

JAMES B. HORNER &  
ELIZABETH E. MCBEE-HORNER  
DOC. NO. 2009088292, D.R.T.C.T.

ROBERT F. NEAL  
VOL. 12921, PG. 669, D.R.T.C.T.

JOSEPH MICHAEL HEBERT &  
JENNIFER M. GIBSON HEBERT  
DOC. NO. 2012119745, D.R.T.C.T.



**LEGEND:**

—x—x—	WIRE FENCE	ASPHALT	
—o—o—	CHAINLINK FENCE	CONCRETE	
—□—□—	WROUGHT IRON FENCE	GRAVEL	
—//—//—	WOOD FENCE	TILE	
—v—v—	VINYL FENCE	WOOD	
—E—E—	ELECTRIC LINE	BRICK	
CM	GAS METER	STONE	
EM	ELECTRIC METER	(WOOD) RAILROAD TIE	
IPF	IRON PIPE FOUND		
IRF	IRON ROD FOUND		
IRS	IRON ROD SET		
CM	CONTROLLING MONUMENT (WOOD) RAILROAD TIE		

NOTES:  
BEARINGS ARE BASED ON THE RECORDED PLAT.

**LEGAL DESCRIPTION:**  
BEING THE EAST 35 FEET OF BLOCK NO. 3 OF THE BAWCOM SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 4, PAGE 51, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

**SURVEYOR'S CERTIFICATION:**  
THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON, PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

GF. NO.	202001729
BORROWER	
TITLE CO.	HERITAGE TITLE
TECH	TAG
FIELD	RG

**FLOOD INFORMATION:**  
THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48453C0585 H, DATED SEPTEMBER 26, 2008.

DATE: 07/30/20      JOB NO.: 20-04512  
FIELD: 07/29/20

703 FLETCHER STREET, AUSTIN, TX 78704



**Premier Surveying LLC**

5700 W. Plano Parkway  
Suite 1200  
Plano, Texas 75093  
972-612-3601 (O) | 855-892-0468 (F)  
www.premiersurveying.com  
premierorders@premiersurveying.com



DATE: \_\_\_\_\_  
ACCEPTED BY: \_\_\_\_\_  
\_\_\_\_\_

**Premier Surveying LLC**

5700 W. Plano Parkway  
Suite 1200  
Plano, Texas 75093  
Office: 972-612-3601  
Fax: 855-892-0468  
Firm Registration No. 10146200

PROJECT NAME:

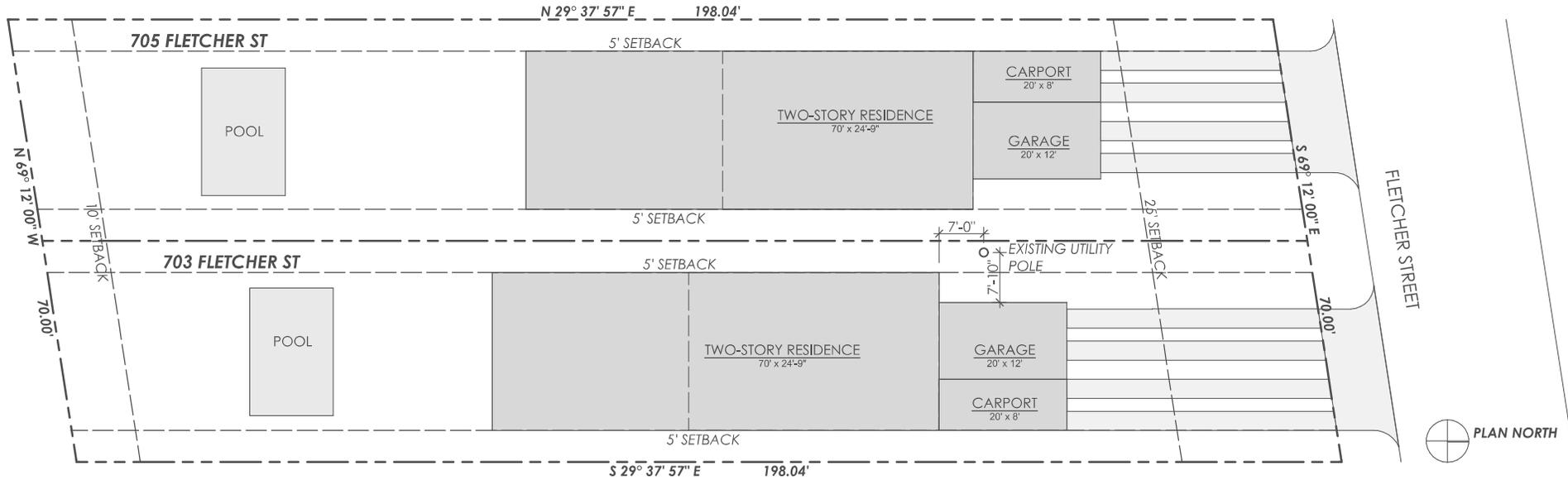
703 + 705 FLETCHER ST

IMAGE NAME:

PAGE

1





**703 FLETCHER: ALLOWABLE AREAS**

SITE AREA	6,849 SF		
ALLOWABLE IMPERVIOUS COVER	3,082 SF	45 %	
PROPOSED IMPERVIOUS COVER	2,619 SF		
ALLOWABLE BUILDING COVER	2,740 SF	40 %	
PROPOSED BUILDING COVER	2,130 SF		
ALLOWABLE F.A.R.	2,740 SF	0.4 TO 1	

**BUILDING AREAS**

CARPORT	0 SF	(450 SF REDUCTION)
GARAGE	40 SF	(200 SF REDUCTION)
TWO-STORY RESIDENCE	2,700 SF	
<b>TOTAL BUILDING AREA</b>	<b>2,740 SF</b>	

**705 FLETCHER: ALLOWABLE AREAS**

SITE AREA	6,849 SF		
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PROJECT NAME:

703 + 705 FLETCHER ST

IMAGE NAME:

TWO LOTS: A

SCALE:

1/16" = 1'-0"

DATE:

01/22/2021



DICK CLARK + ASSOCIATES  
ARCHITECTURE • INTERIORS

512.472.4980

• 2120 EAST 7TH STREET

• AUSTIN, TX 78702

• WWW.DCCARCH.COM

PROJECT NAME:

703 + 705 FLETCHER ST

IMAGE NAME:



PROJECT NAME:

703 + 705 FLETCHER ST

IMAGE NAME:

PAGE

6

PROJECT NAME:

703 + 705 FLETCHER ST

IMAGE NAME:

PAGE

7



**HARDSHIP**

SUBSTANDARD LOT WIDTH (34'-9" EACH)

**ASKING FOR**

1. PERMISSION TO BUILD ON A LOT WITH A SUBSTANDARD LOT WIDTH  
(LDC 25-2-492-D)
2. REMOVAL OF THE MCMANSION SIDE SETBACK PLANES BETWEEN THE TWO LOTS  
(LDC 25-2 Subchapter F Article 2.6A)
3. REMOVAL OF THE SIDEWALL ARTICULATION REQUIREMENT BETWEEN THE TWO LOTS LDC  
(25-2 Subchapter F Article 2.7)

**NOT ASKING FOR**

NO ADDITIONAL F.A.R.

NO ADDITIONAL SQUARE FOOTAGE

NO ADDITIONAL IMPERVIOUS COVER

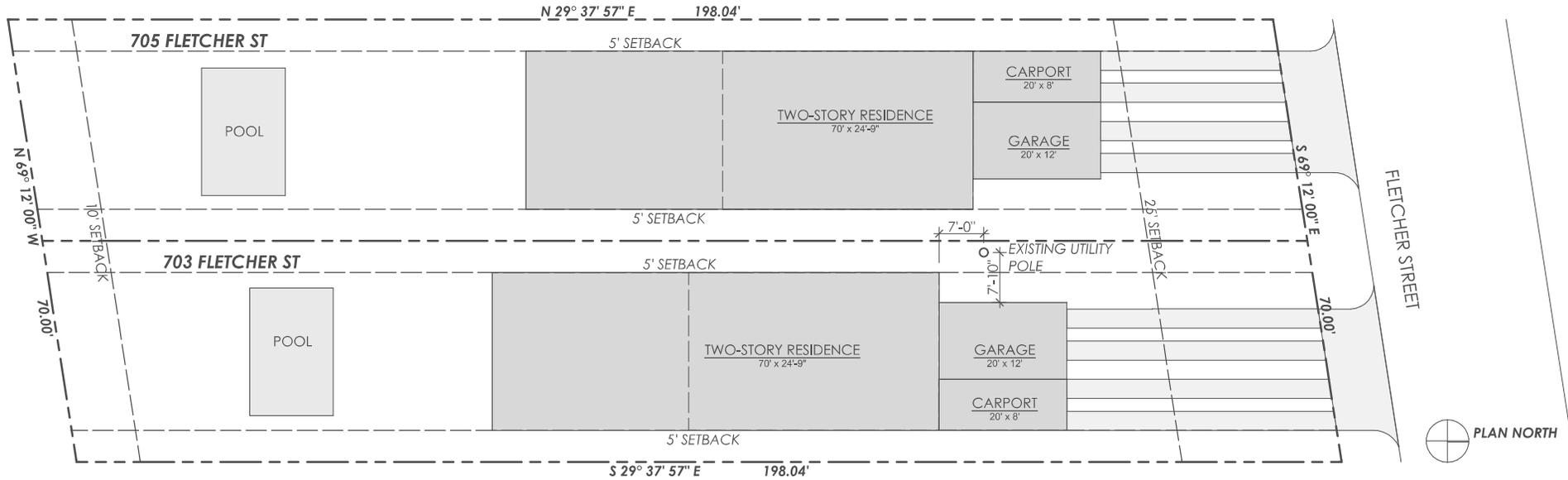
NO ADDITIONAL HEIGHT

NO CHANGES TO THE FRONT OR SIDEYARD SETBACKS

**NOT A PRECEDENT**

SUBSTANDARD LOT WIDTH (34'-9" EACH)

2 ADJACENT LOTS WITH THE SAME OWNER



**703 FLETCHER: ALLOWABLE AREAS**

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PROJECT NAME:

703 + 705 FLETCHER ST

IMAGE NAME:

TWO LOTS: A

SCALE:

1/16" = 1'-0"

DATE:

01/22/2021



703 FLETCHER



705 FLETCHER

PROJECT NAME:

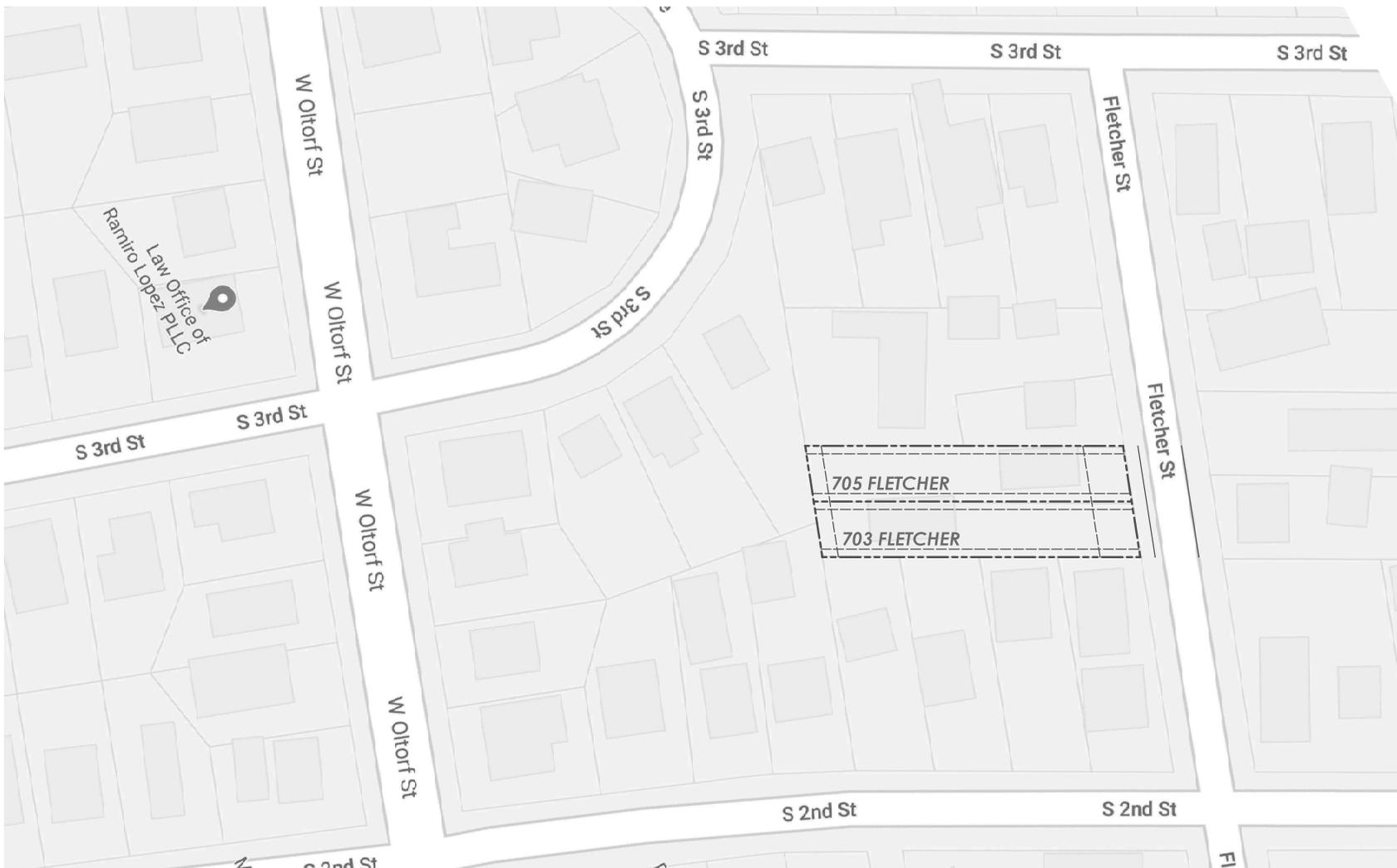
703 + 705 FLETCHER ST

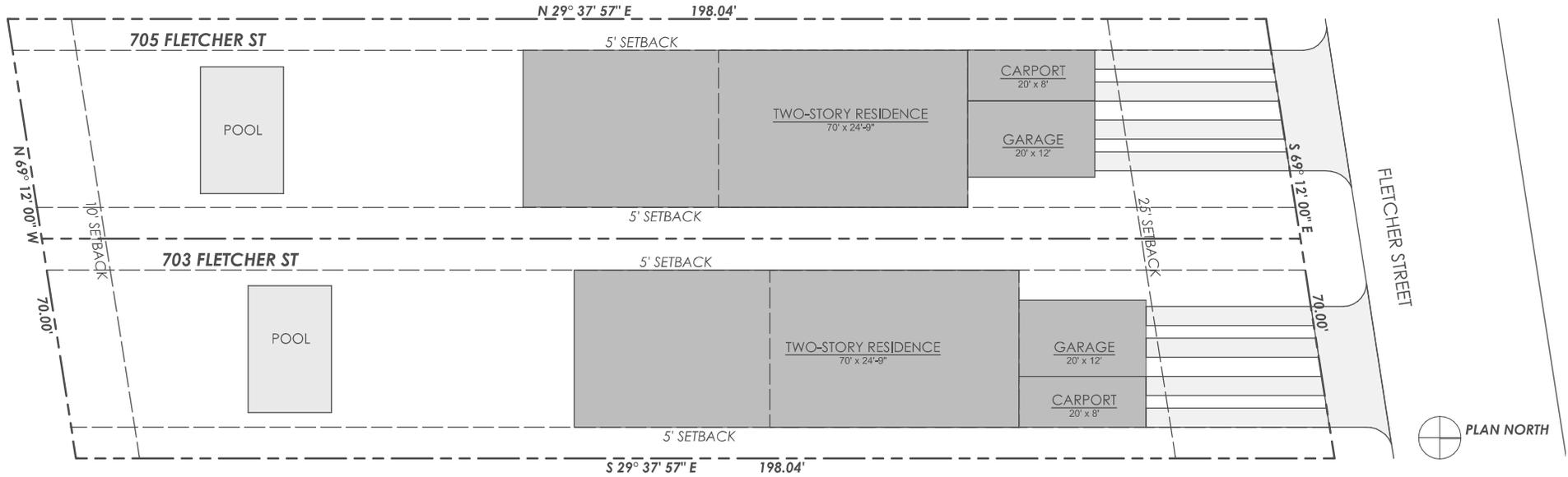
IMAGE NAME:

STREET VIEW (CURRENT)

PAGE

1





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**BUILDING AREAS**

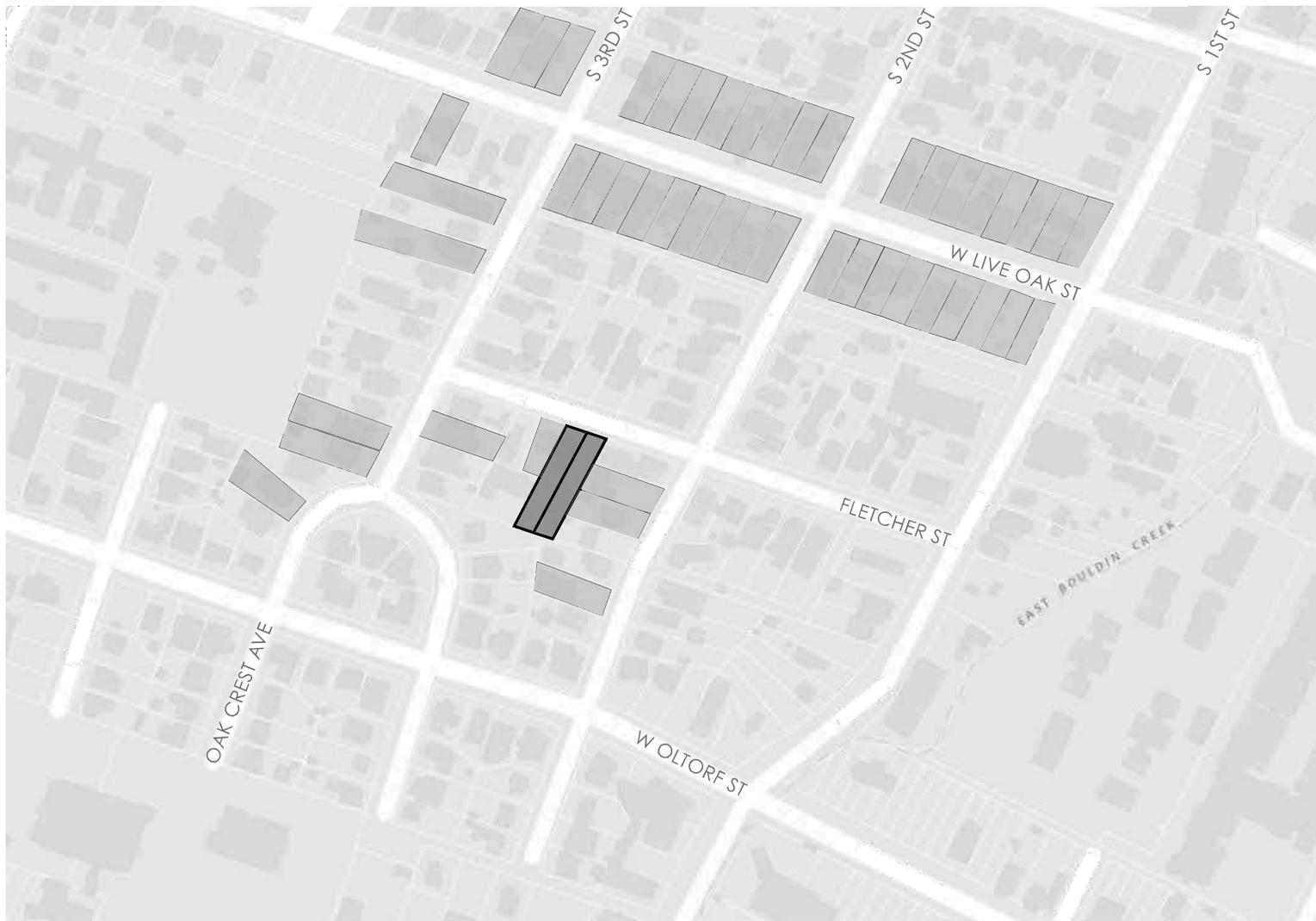
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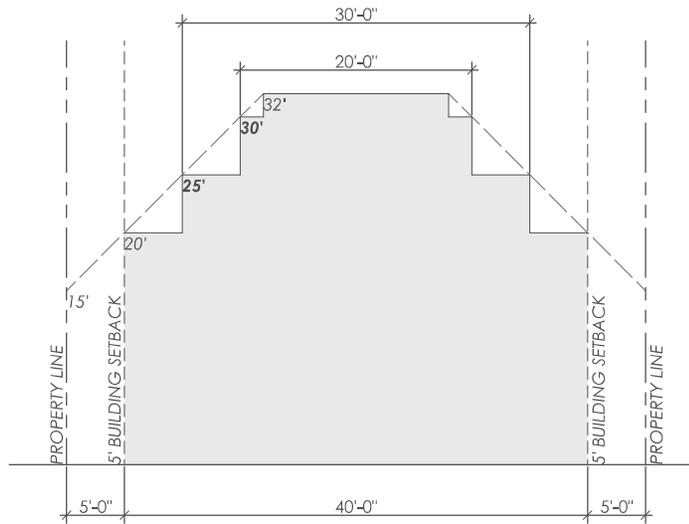
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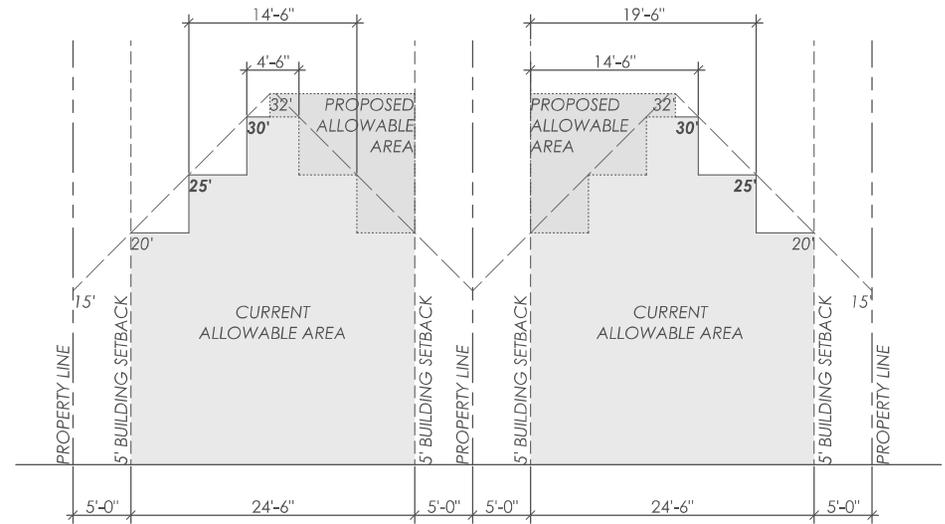
-  **PROPOSED LOTS**  
(703 + 705 FLETCHER ST)
-  **OTHER SUBSTANDARD LOTS**  
(LESS THAN 50' WIDE)

TYPICAL 50' LOT

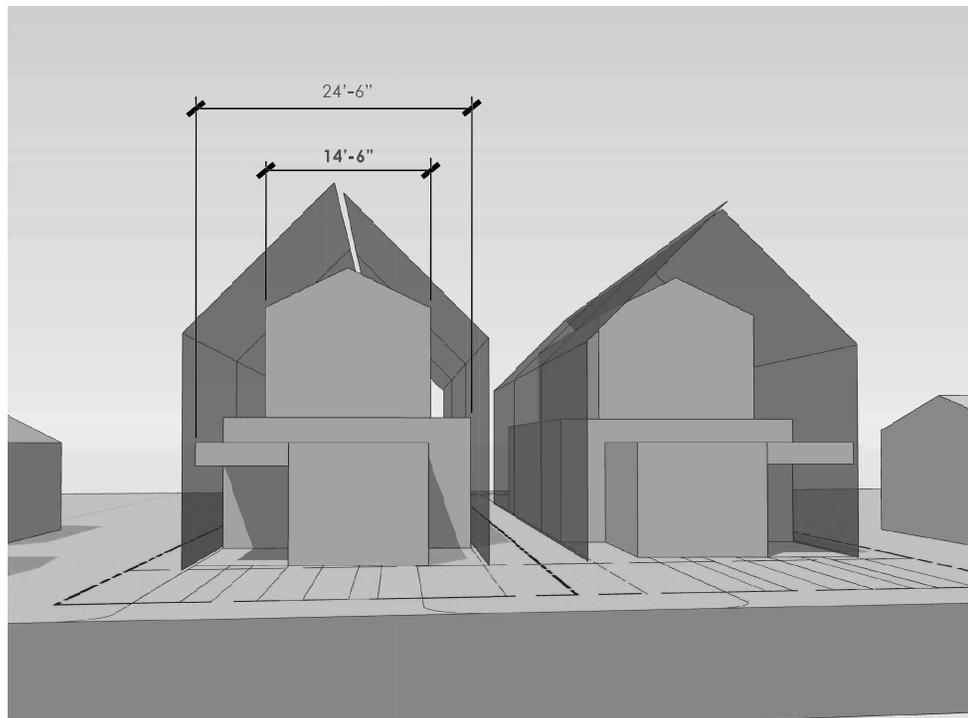


703 FLETCHER

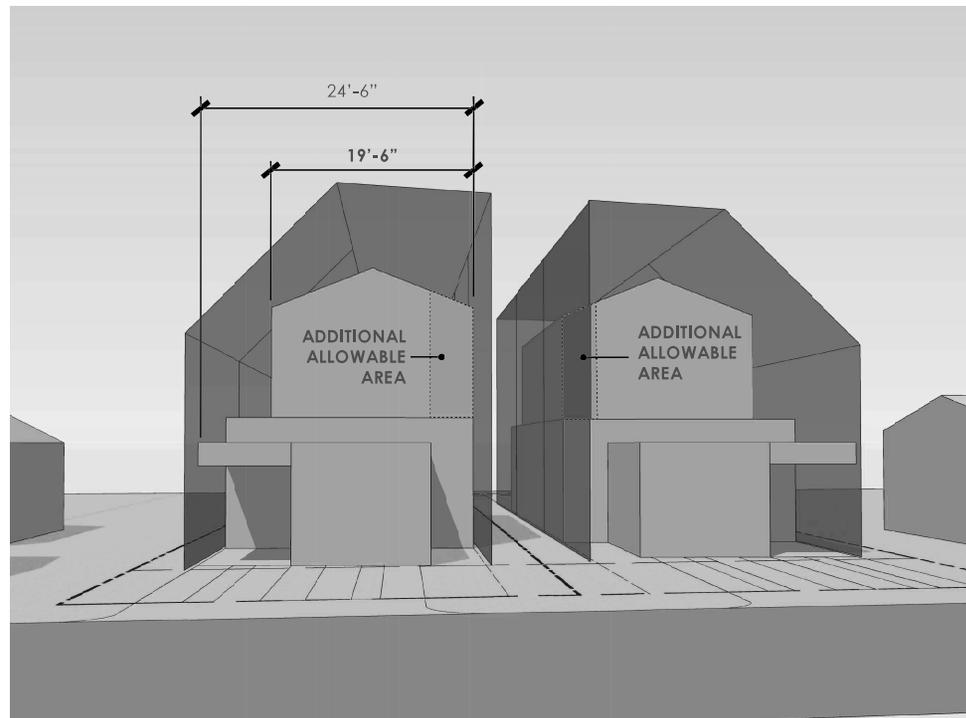
705 FLETCHER



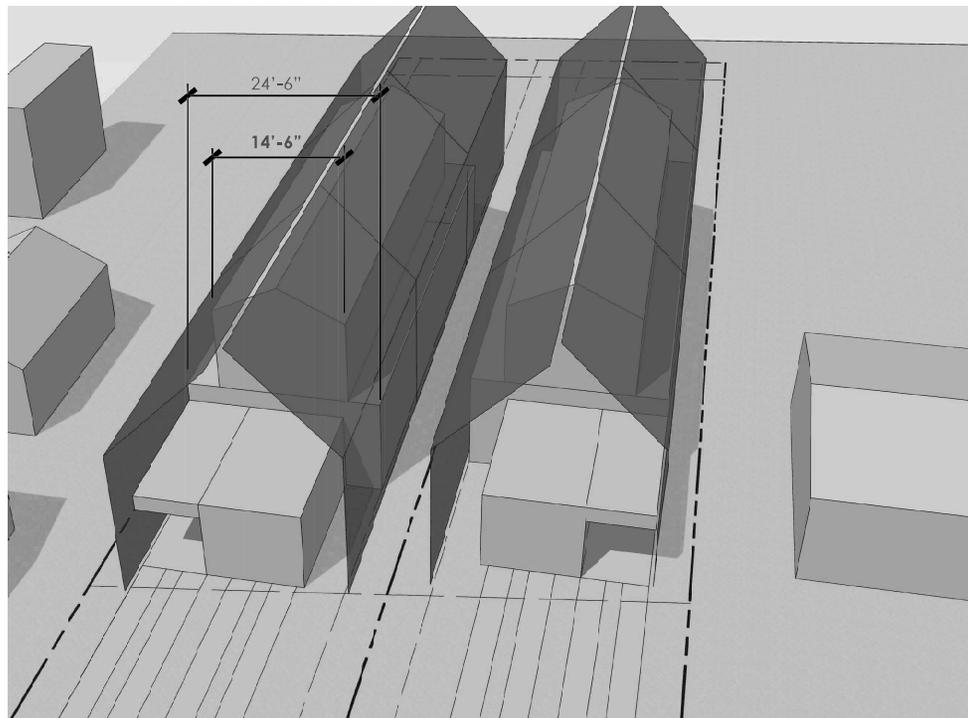
CURRENT ALLOWABLE AREA



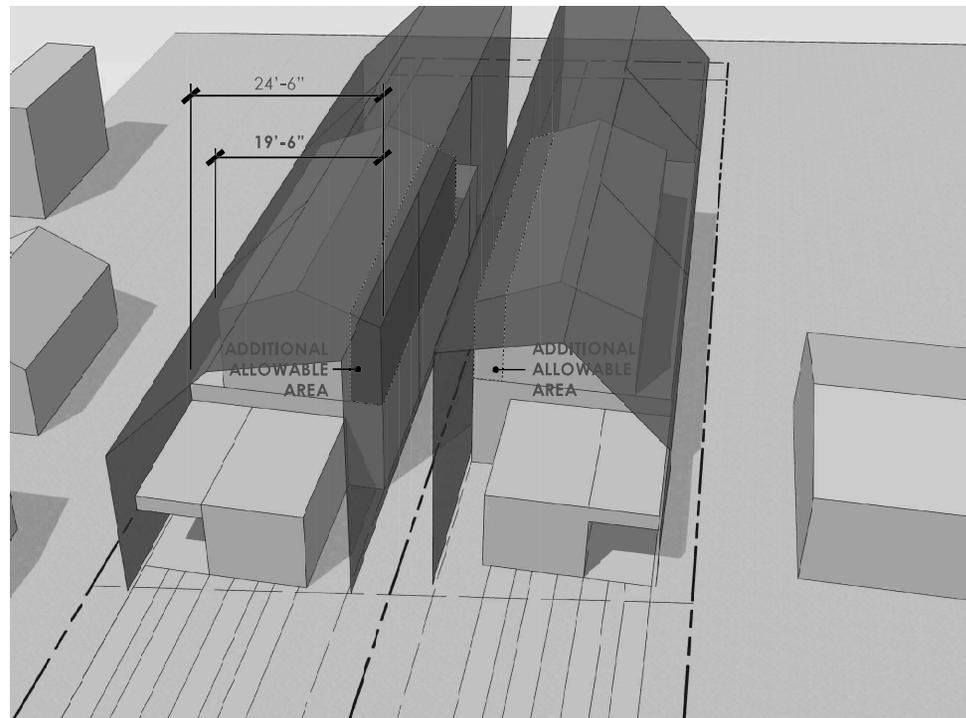
PROPOSED ALLOWABLE AREA



CURRENT ALLOWABLE AREA

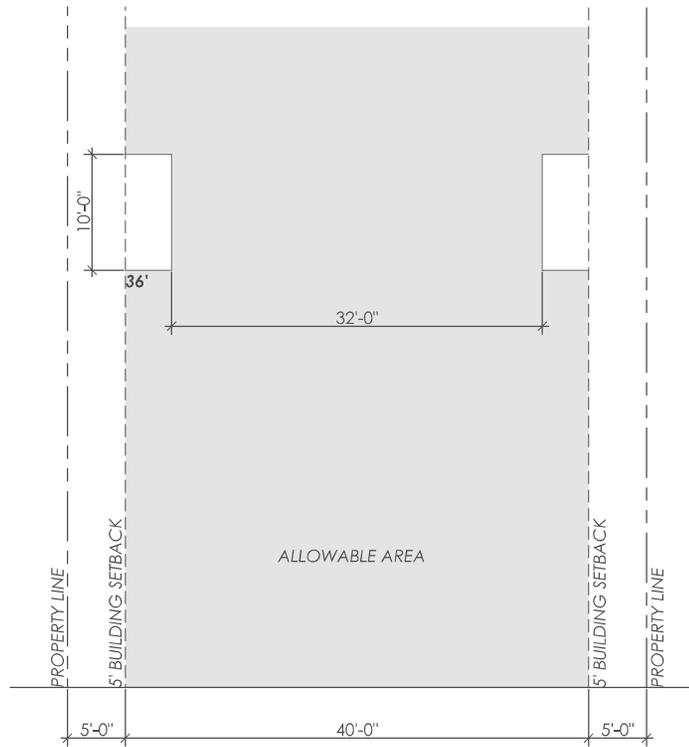


PROPOSED ALLOWABLE AREA

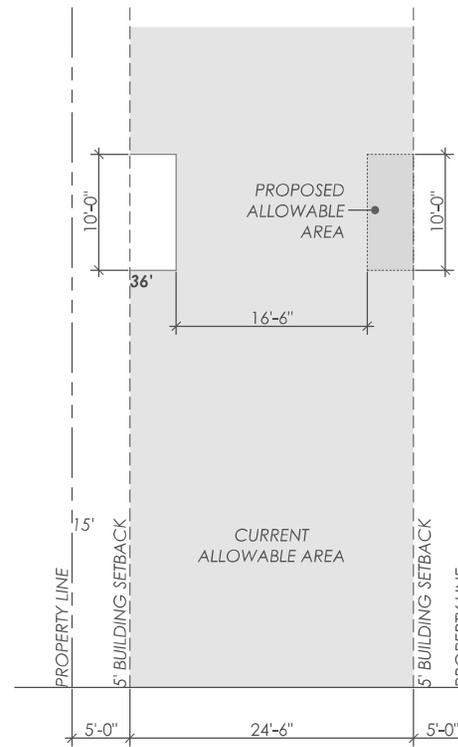




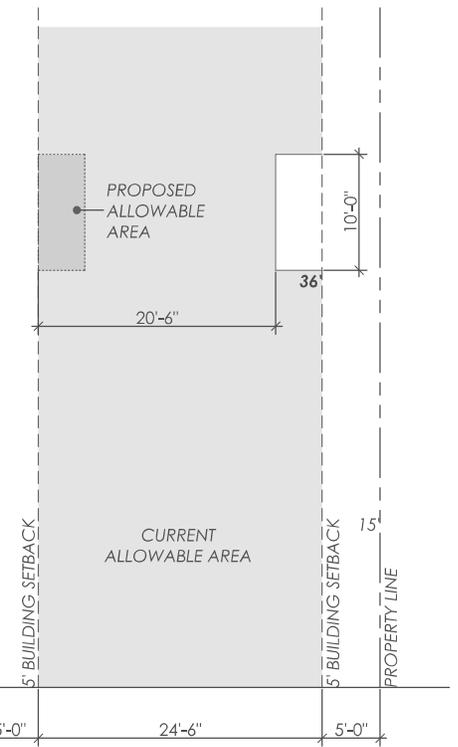
TYPICAL 50' LOT



703 FLETCHER



705 FLETCHER



**HARDSHIP**

SUBSTANDARD LOT WIDTH (34'-9" EACH)

**ASKING FOR**

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- NO ADDITIONAL SQUARE FOOTAGE
- NO ADDITIONAL IMPERVIOUS COVER
- NO ADDITIONAL HEIGHT
- NO CHANGES TO THE FRONT OR SIDEYARD SETBACKS

**NOT A PRECEDENT**

- SUBSTANDARD LOT WIDTH (34'-9" EACH)
- 2 ADJACENT LOTS WITH THE SAME OWNER